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Attorneys for Respondent
CISCO SYSTEMS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ILLINOIS COMPUTER RESEARCH, LLC,
Plaintiff and Counterclaim
Defendant,

vs.

FISH & RICHARDSON P.C.,
Defendant,
Counterclaimant and
Third Party Plaintiff,

vs.

SCOTT C. HARRIS,
Third-Party Defendant
and Counterclaimant

vs.

FISH & RICHARDSON P.C.,
Defendant,
Counterclaimant, Third
Party Plaintiff and
Counterclaim Defendant

Miscellaneous Action No.
CV 5:08-mc-80074-JF (HRL)

**DECLARATION OF WILLIAM
FRIEDMAN IN SUPPORT OF
OPPOSITION TO MOTION UNDER
FED.R.CIV.P. 45 OF ILLINOIS
COMPUTER RESEARCH LLC AND
SCOTT C. HARRIS TO COMPEL
RICHARD FRENKEL'S DEPOSITION
AND DOCUMENT PRODUCTION IN
APRIL 2008**

1 I, William Friedman, declare and state as follows:

2 1. My name is William Friedman. I am over twenty-one years of age, competent in
3 all respects and authorized to execute this Declaration. All of the matters stated herein are true
4 and correct and are within my personal knowledge.

5 2. I am Senior Corporate Counsel—Legal Services at Cisco Systems, Inc. ("Cisco").
6 As Senior Corporate Counsel for Cisco, my responsibilities and duties include the coordination of
7 outside legal counsel employed to represent Cisco in litigation. In addition, I regularly manage
8 communications between such outside legal counsel and Cisco employees.

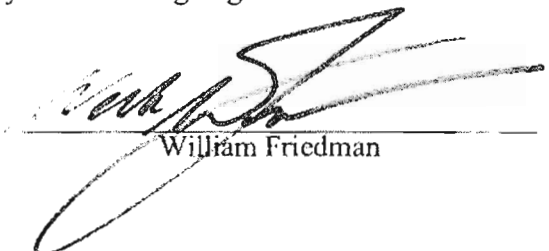
9 3. In my capacity as Senior Corporate Counsel, I am familiar with certain
10 communications between Cisco employees and the law firm Fish & Richardson, P.C. and Kathi
11 Lutton, Esq., which are the subject of a subpoena issued to Richard Frenkel (request Nos. 1, 3, 4).
12 I also am familiar with certain work product prepared by Fish & Richardson, P.C. and Kathi
13 Lutton, Esq. on behalf of Cisco, which also is the subject of the subpoena (request Nos. 1, 3, 4).

14 4. Some or all of the testimony and material covered by these requests concerns
15 confidential communications between Cisco and its lawyers regarding legal advice sought on
16 behalf of Cisco for the purpose of protecting its legal rights. Accordingly, the requests seek to
17 compel testimony and material protected by Cisco's attorney client privilege, a privilege that
18 Cisco has not waived.

19 5. Moreover, some or all of the testimony and material covered by these requests
20 concerns the impressions, opinions, conclusions, legal theories, and research prepared by Cisco's
21 lawyers for the purpose of protecting Cisco's legal rights in litigation or in anticipation of
22 litigation. Accordingly, the requests seek to compel testimony and material protected by the work
23 product rule, a protection that has not been waived.

24 6. I declare under penalty of perjury that the foregoing is true and correct.

25 Executed on April 21, 2008, in San Jose, CA.

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William Friedman